

Date

Ms. Jane Dolan
Chair, Butte County Supervisors
Administrative Center
25 County Center Drive
Oroville, CA 95965

Dear Ms. Dolan:

This responds to your May 16, 2000 letter restating a number of Butte County's concerns with the CALFED Program and requesting an extension of the 30-day period following the release of CALFED's Final Programmatic EIS/EIR (Final EIS/EIR).

We have reviewed thousands of comments on the June 1999 draft CALFED Programmatic EIS/EIR and have prepared responses that will be included in the Final EIS/EIR. We intend to have the Final EIS/EIR delivered to all who commented on the draft EIS/EIR within 2-3 days of its release to agencies and the public. As a minimum, in compliance with CEQA, Butte County-- as a public agency commentor-- will get the Final EIS/EIR at least 10 days before it is certified.

The following are brief excerpts, dealing with Butte County's comments, from some of the responses in the Final EIS/EIR:

The ERP requires all project applicants to coordinate with local government and all projects will be thoroughly evaluated by qualified experts; The ERP proposal to allow the Sacramento River to meander was taken from the citizen and landowner process developed in the Sacramento River Conservation Area Handbook (S.B.1086); The "hard points" policy objective of S.B. 1086 is integrated into the ERP. Future redesign and reconstruction of bridges should include bypasses and other flood relief measures; CALFED is not proposing to change any regulations, water rights or standards. CALFED will operate within the existing regulatory and statutory water rights framework. Individual CALFED agencies will continue to exercise their respective authorities; and CALFED acknowledges the role that agricultural land plays as a substitute for natural habitat. Our "wildlife friendly" incentive program intends to increase those benefits.

CEQA does not provide for comments on the Final EIS/EIR. NEPA provides a 30-day period, ~~after notice of the availability of the Final EIS/EIR is published in the Federal Register~~, before a decision on the proposed action can be made or recorded. This 30-day period is not a second public or agency review and comment period.

Comments submitted during this 30-day period will be submitted to CALFED decisionmakers for their consideration, but neither NEPA nor CEQA require lead agencies to respond formally on a Final EIS/EIR.

Sincerely,

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